



07-17-03

PATENT
Attorney Docket No. 101.0042-05000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Gary K. Michelson, M.D.) Group Art Unit: 3731
Serial No.: 10/098,683)
Filed: March 15, 2002)
For: Spinal Implant Containing Bone)
Morphogenetic Protein)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

Express Mail Mailing Label No. EV 321 290 037 US

Date of Deposit: July 15, 2003

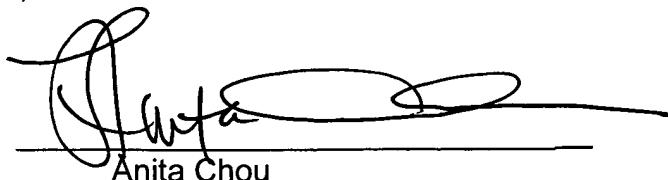
I hereby certify that:

1. Transmittal (in duplicate)
2. Amendment
3. Information Disclosure Statement; Form PTO-1449 with 29 documents
4. Check in the amount of \$1,560 (additional claims fee, three-month extension and IDS fee)
5. Self-addressed return postcard receipt

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: 7/15/03


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE Application of:

Gary K. Michelson, M.D.) Group Art Unit: 3731
 Serial No.: 10/098,683) Examiner: U. Ho
 Filed: March 15, 2002)
 For: Spinal Implant Containing Bone)
 Morphogenetic Protein)

Assistant Commissioner for Patents
 Washington, D.C. 20231

Dear Sir:

Transmitted herewith is a reply to the Office Action dated January 15, 2003 in the above-identified application.

Applicant hereby requests a three (3) month extension of time to respond to the above office action.
 Information Disclosure Statement with Form PTO-1449 and 29 documents

The fee has been calculated as shown below:

| | (Col. 1) CLAIMS REMAINING AFTER AMENDMENT | | (Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Col. 3) PRESENT EXTRA* | LG \$ ENTITY FEE | | ADD'L FEE DUE |
|---|---|---|---|-------------------------------|---------------------|--------------------------|------------------|
| TOTAL CLAIMS FEE | 50 | - | 25 | = | 25 | LG=\$18 | \$18 |
| INDEPENDENT CLAIMS FEE | 2 | - | 3 | = | 0 | LG=\$84 | \$84 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS | | | | | | LARGE ENTITY FEE = \$280 | |
| three (3) month extension fee (large entity) | | | | | | \$ 930 | |
| Information Disclosure Statement fee | | | | | | \$ 180 | |
| | | | | | | TOTAL | \$ 1,560 |

A check in the amount of \$1,560 to cover the above fees is enclosed.
 The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. **A copy of this sheet is enclosed.**
 Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
 Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN & FERRARO, LLP

By:

Amadeo F. Ferraro

Registration No. 37,129

Attorney for Applicant

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